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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/757,131

01/14/2004

Mototaka Iwata

MIZ46.CON

3815

6980

7590

02/21/2006

TROUTMAN SANDERS LLP
600 PEACHTREE STREET, NE
ATLANTA, GA 30308

EXAMINER

BLAU, STEPHEN LUTHER

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/757,131

Applicant(s)

IWATA ET AL.

Examiner

Stephen L. Blau

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-20, 23-26 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-20 and 23 is/are allowed.
- 6) ☒ Claim(s) 24 and 28 is/are rejected.
- 7) ☒ Claim(s) 25 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Request for Continued Examination (RCE)

1. The request filed on 31 January 2006 for a Request for Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 10/757,131 is acceptable and a RCE has been established. An action on the RCE follows.

Drawings

2. The changes to the drawings are agreed with and the objections under 37 CFR 1.84(p)(5) are removed.

Claim Rejections - 35 USC § 112

3. The changes to the claims are agreed with and the rejections under 35 U.S.C. 112, second paragraph, are removed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 24 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stites (6,695,937) in view of Stites (6,077,173) and Schmidt (5,330,187).

Stites discloses a head having only one projected wall portion offset from a face portion and extending upward from a sole portion (Fig. 3) and having a length along an axis toe to heel that is less than a length of a cavity portion along an axis (Fig. 2), wall portion rising along a face portion toward a top edge portion (Figs. 2-3), and a 1 iron having a loft of 16 degrees.

Stites (6,695,937) lacks a projected wall portion being trapezoidal in shape, a wall portion extending rearwardly beyond a top edge portion, and a wall portion being flush with a back portion of a club. Stites (6,077,173) discloses bridge members extending from a sole of a head (Figs. 13) being trapezoidal in shape (Col. 9, Lns. 37-43) and a cantilever bridge being flush with a back portion of a club or being more distal to a face to increase trajectory (Col. 9, Lns. 17-35). Schmidt (5,330,187) discloses wall portion at a sole having a trapezoidal shape (Fig. 17). In view of Stites (6,077,173) and Schmidt (5,330,187) it would have been obvious to modify the head of Stites (6,695,937) to have a projected wall portion being trapezoidal in shape in order to utilize another design used in the market place of placing weight at a rear of a head and in order to distribute more weight lengthwise along a cantilever mass to distribute its effect more lengthwise. In view of Stites (6,077,173) and Schmidt (5,330,187) it would have been obvious to modify the head of Stites (6,695,937) to have a wall portion being flush

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with a back portion of a club in order to utilize the cantilever design but not have too much trajectory for a golfer who prefers less due to the golfer's type of swing. As such the wall will be more rearward and for a 1 iron a wall portion would extend rearwardly beyond a top edge portion.

Allowable Subject Matter

6. Claims 18-20 and 23 are allowed. None of the prior art discloses or renders as obvious a groove provided on a surface of a cavity portion side of a sole portion, a thickness of a hitting portion greater than a thickness of a top edge side portion of a face portion and at least as thick as a thickness of a sole side portion of a face portion, only one projected wall portion offset from a face, a wall portion having a trapezoidal shape, and an outer surface of a wall portion being flush with a back portion of the iron club in addition to the other elements of structure claimed.

7. Claims 25-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. None of the prior art discloses or renders as obvious a groove provided on a surface of a cavity portion side of a sole portion, only one projected wall portion offset from a face, a wall portion having a trapezoidal shape, and an outer surface of a wall portion being flush with a back portion of the iron club in addition to the other elements of structure claimed.

Response to Arguments

8. Applicant's arguments with respect to claims 18-20, 23-26 and 28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Blau whose telephone number is (571) 272-4406. The examiner can normally be reached on Mon - Fri 10:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on (571) 272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SLB/15 February 2006



STEPHEN BLAU
PRIMARY EXAMINER

REPLACEMENT SHEET

FIG.1

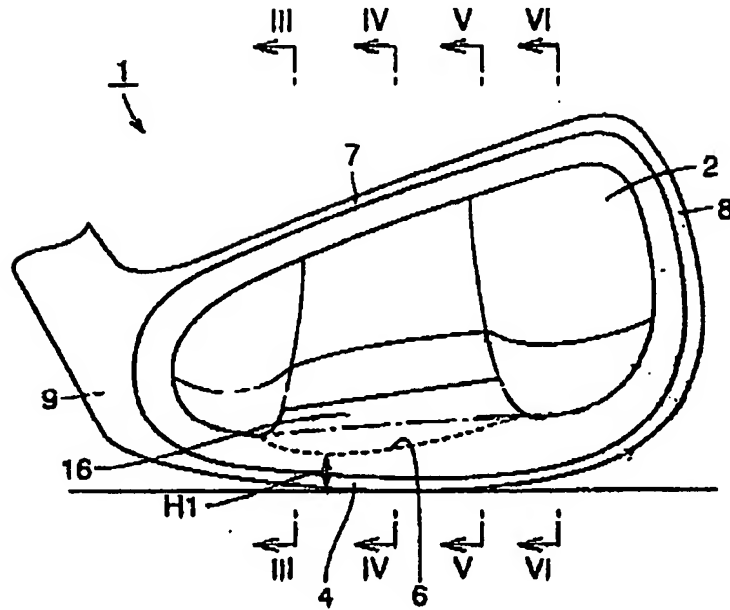
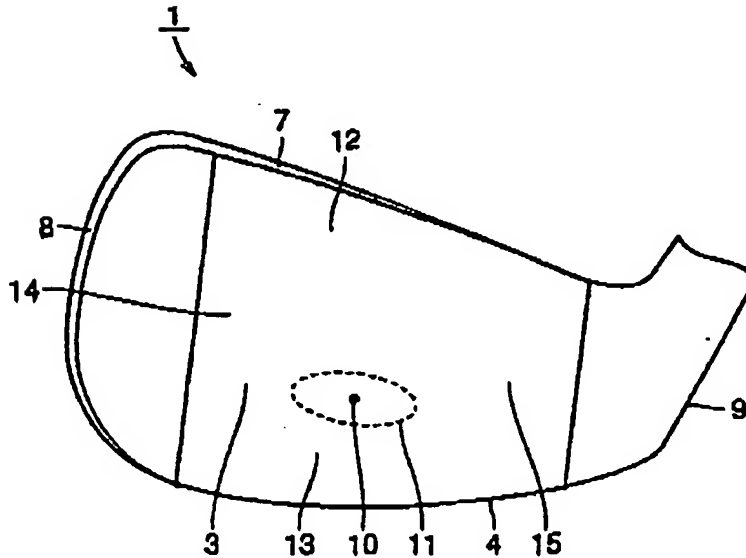


FIG.2



Approved
J. Blain 2/14/06